

From: Rodman Brett
To: Microsoft ATR,dfw@sec.gov@inetgw,exemptapp@sec.gov...
Date: 12/12/01 5:08pm
Subject: Compelling Federal Interest for Certiorari in The MicroSoft Case

[Text body exceeds maximum size of message body (8192 bytes). It has been converted to attachment.]

December 12, 2001

From: Brett A. Rodman
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To: Attorneys' General of the States of
The United States of America

Subj: 'Compelling Federal Interest' for a Writ of Certiorari to the Supreme
Court of the United
States of America concerning The MicroSoft Anti-Trust Case

cc: The Securities and Exchange Commission
The European Union
The United States Senate

Attorneys' General,

The MicroSoft Corporation, and Bill Gates have been able to amass the great amount of wealth that they possess as a result of widespread ignorance on the part of the judicial community, and the public to a great degree, concerning computers, the internet, and technology. More specifically, as the Internet, and Commerce conducted, with regard to its technological advancements remains a legal "no man's land" concerning applicability of legal standards governing taxation, contracts, the public welfare, and anti-trust and competition standards regarding the same commerce The Microsoft Corporation and Bill Gates are able to escape legal scrutiny, indictments, and penalties, forfeitures, and damages.

The technology associated with the High-Tech Internet "MarketPlace", and the "Commerce" conducted therein is relatively new. In fact, it has been proliferate for only the greater part of ten years now. Therefore, it is understandable that the Legislative, Judicial, and Law Enforcement Infrastructure of the United States Government, and the Fifty States of the United States of America have difficulty in comprehending or delineating the implications of, or codifying and prosecuting with facile integrity and efficiency, criminal and civil tort breeches, and commercial standards, and or proprietary and fair practices standards pertinent to this new high-tech commercial market space.

Over the last year, I have done academic research, concerning how the Constitutional and Legal Protections, Guarantees, Immunities, and Priveleges of the Bill of Rights, most specifically regarding political and speech rights, apply on the internet. This being an established area of interest of mine, I would like to offer the following metaphor, and thoughts, concerning the 'Microsoft Monopoly' over "High Tech Commerical Air Space" and how it is detrimental to the general welfare of the public and the American People.

The Internet is a Super Highway. It represents a high-tech Super Highway of Commerce, Industry, and Capitalism. Just as the Assembly Line was the 'life's blood' of the American Industrial Revolution, so to is the Internet, the life's blood of the New Information Technology Economy of the 21st Century. However,

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juxtaposing the two, the goods, services, and commodities produced by the Assembly Line were available to the American Consumer at a ubiquitous level to all of the American People who could afford them. This was due to the self-regulation of industry and laissez-faire economics creating equitable supply and demand structures in the marketplace of the goods and services created by the assembly line.

Unfortunately, one of the negative effects of the 'Microsoft Monopoly', with regard to its Windows Operating System, as the only feasible accessing device to this Information Technology Economic Market Place has been the disenfranchisement of a large segment of the American Population towards entry into, and the benefits of this Market Driven Economy. For the most part, this has its greatest effects at the lower end of the Economic Spectrum in the lower income, and moderate to lower income wage sectors of the American Economy. This has in effect, due to this Monopoly, catalyzed greater disparities in income distribution, savings, disposable income, and the accumulation and accruelement of wealth into the hands of the top-teir of the wealthiest of Americans. This problem dynamically proliferates itself, as the express intent of the Internet is to expedite, and initiate a more dynamic high-speed development of capital transactions and the ability to engage in commerce. The amazing effectiveness of the Internet has as a tangential effect catalyzed a proliferation of negative aspects for the General Welfare of the American Public as a whole.

The MicroSoft Corporation, and Bill Gates, have in fact established a system, whereby access to The High Tech Information Market Place of Commerce, Goods and Services, and Capitalism requires that they are payed a tax by the American People desiring to utilize this Market Place. As it currently stands, it is nearly impossible to find a computer operating system, or server that is accessible in the public and private realm that will access this market place, without first having to access and utilize the Windows Operating System, and pay 'a tax' to the MicroSoft Corporation acting as a quasi-governmental agency exercising full authority over the Internet, and the right to engage in Commerce, and Capitalist functions therein. Mr. Gates, and the MicroSoft Corporation's defense is, that you should not penalize sucess. I invented this system, therefore I am justified in establishing an 'Operant Monopoly' thereto due to this.

Though this argument it sound, it lacks validity, cogency, and the the dictates of American Jurisprudence and Common Sense. Utilizing this argument, it could be supposed, that the person who invented concrete should be given a 'tax revenue" everytime a new road is paved, brige built, or driveway poured, or more than this every time a road is utilized by a vehicle. As this metaphor applies to the Super-Highway of Commerce, imagine that the company that invented concrete was allowed to tax every person who utilized the streets, roads, and highways of the United States of America in both the private and public realms. The person that invented concrete would have, in effect established a toll-booth at the end of every american driveway, established, erected and protected by the American Government so that the inventor of Concrete would get their tax-money for use of the streets, roads, and highways of the United States of America. More than this, every time Public Transportation was utilized, the tax-money derived from the use of the streets,

roads, and highways would not go to the local, state, or federal government, but to the inventor of concrete, collected for them by the Government, at the expense of the tax-payer. This is a clear and unambiguous Constitutional Violation abrogating The Exclusive Taxation Powers of the United States Congress provided for under Article I, Section 8 of the Constitution of the United States of America.

The Consent Decree agreed to by the Justice Department of the United States of America, Forty One of the States of the United States of America, and The MicroSoft Corporation provides no real remedy. Instead of breaking up the "Operant Monopoly", and institution of 'illegal taxation' by the monopolist. the government made a deal with the company to establish a 'bi-lateral operant monopoly' with the company that as it applies to our metaphor, makes the 'toll booths' at the end of driveways (The Sun Microsystems Java systems). It is proposed by the consent decree, that by dividing the 'Operant Monopoly,' and 'illegal tax money' with Sun Microsystems (the toll-booth operators) that in effect this will serve as a Judicious Remedy of what should be deemed as a monopoly over entrance to a market place in the Public Domain. This is a clear and convincing violation of United States Title Code 15, Section 1, The Sherman Act, and though subtle, and implicit in nature, a violation of United States Title Code 29, Section 151, The Wagner-Connery Labor Relations Act.

The content, purview, and express intent of the Wagner-Connery Act generally provides for remedy of corporate and labor relations. However, as it concerns the omnipresent proliferation of the Internet and high-speed communications as a requisite entry point for access to the Information Technology Market Place of Commerce and Capitalism over the past ten years the Wagner-Connery Act is applicable. Inevitably, or unfortunately ultimately invariably at the least, in this instance, access to the Information Super Highway, and the Information Technology Market Place of Commerce and Capitalism requires a financial transaction, apparent as a 'quasi-governmental information technology tax' with the MicroSoft Corporation and the Corporate interests of Bill Gates. In doing this, as the Information Technology Market Place of Commerce and Capitalism, is in fact an artifice and institution of the Public Domain, the MicroSoft Corporation has enacted a "taxation system", provided for by the Government, using tax-money to collect the tax revenue for a private institution. As such, through this tax, The Micro-Soft Corporation, and Bill Gates has established an employee-employee relationship with not only his company and the Citizens of the United States of America, but The Citizens of the World, desiring access to this Information Technology Market Place of Commerce and Capitalism.

This Monopoly however is elusive, difficult to understand with respect towards current commercial codes, and anti-trust standards, and therefore is difficult to prosecute with effectiveness, or offer equitable remedy against, due to ignorance of how it is established, and the intricacies of Information Technology Systems. Due to this, this real, and established in fact 'Operant Monopoly', provided for by the Government, utilizing the tax revenue of the American People as a means to exact the "tributes", "taxes", and

"fees" derived thereto appears as a pernicious, and dangerous threat to the General Welfare of the American People. Its appearance, manifestation, and proliferation threatens the economic viability of the United States Economy due to its devastating potential to subordinate and disenfranchise a large segment of the American Public, and further proliferate the gap between rich and poor in America.

The parens patriae relationship between the Microsoft Corporation and the American Public, as it is manifest as a employeeer-employee relationship for all desiring access to the Information Technology Market Place of Commerce and Capitalism, pursuant to USC Title 29, Section 151, The Wagner-Connery Act, does in fact;

"(a) impair the efficiency, safety, and operation of the instrumentalities of commerce"

is in fact;

"(b) occurring in the current of commerce"

does;

"(c) materially affect, restrain, and control the flow of raw materials and manufactured or processed goods from and into the channels of commerce, and the prices of such materials and goods in commerce"

and in fact;

"(d) causes the diminution of employment and wages in such volume as substantially to impair or disrupt the market for goods flowing from or into the channels of commerce"

This is caused when the necessity of access to the Information Technology Market Place of Commerce in Capitalism is in fact necessarily directed through, and provided for by the exclusive necessity to use the Windows Operating system prior to entrance to this Public Domain and Venue. This principle and perspective gains reinforcement through the application of the public-function test. As a result, a large segment of the American Public, and in this case the World Population is disenfranchised from access to the Commerce and Capitalist Marketplace by the artificial prices that are established by the Microsoft Corporation, and its competitors in this sector concerning Information Tehcnology Systems, Equipment and Facilities necessary for entrance into the Market itself. Allowances by other computer companies, and corporations operating in this economic sector are intracted into the pricing of their commodities, goods, and services. As a result, competitors, to maintain competitive profit margins, to keep up with MicroSoft as a viable invesment opportunity, pad prices, artificially inflate costs to the consumer, and enhance dividends as a means to compete with Microsoft and its 'Operant Monopoly', and 'illegal taxation artifice' established as a requirement for access to, and entrance towards engaging in Commerce and Capitalist Activity in the Information Technology Market Place. This does in fact, disenfranchise a large segment of the American Public and Citizens in Foreign Countries, and exacerbates not only wealty disparities on the personal and micro levels, but undermines efforts by states, governments, and fledgling markets,

economies, and arbitrage systems
from stabilization.

As this is the case, I offer that pursuant to United States Title Code 15, Section 8, and United States Title Code 15, Section 11, established as a Constitutional Violation of Article I, Section 8 of the Constitution of the United States of America, provided for under Article V of The Bill of Rights of the same, that the Microsoft Corporation should be required to forfeit the license to the Windows Operating System to the United States Government, and be subject to Treble Damages to the Fifty States of the United States Government. Due Compensation, as required by law, should be offered in the amount of the Company's "real value" after such legal taking, and Attorney's Fees, Damages, and Compensation have been paid by The Microsoft Corporation.

I look forward to hearing from your organization concerning this matter.

Very Truly Yours,

I remain,

Brett A. Rodman

----- Start of forwarded message -----

Subject: MicroSoft and Movie Studio Investments
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From: Rodman Brett <securitiesandexchange@justice.com>
Date: 20 Nov 2001 12:06:51 PST

November 20, 2001

From: Brett Anthony Rodman
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202-942-7040

Subj: MicroSoft and Movie Studio Investments

Ref: (a) Ltr to Brett A. Rodman dtd February 18, 2000 from the SC Department of
Commerce

cc: The South Carolina Legislature
The Federal Bureau of Investigation

MTC-00004245_0006

The Film Office of South Carolina
The SC Economic Development Authority
The South Carolina Department of Commerce
The Apple Corporation
The MicroSoft Defense Site
The Department of Justice Anti-Trust Division
Offices of the Attorney General SC, CA, CT, FL, IA, KS, MA, MN, UT, WV
International Anti-Trust Agencies
Brendan Sullivan, Attorney at Law, Williams & Connolly
The College of Charleston

SEC,

My name is Brett Anthony Rodman, I run a small political and legal consulting entrepreneurial enterprise.
I am interested in the MicroSoft Case, but have little time to research the issue right now.

However, I have a "hunch" that I was hoping your agency and the cc: line addresses might be interested in undertaking due diligence concerning its validity. For, if it is true it speaks to the business practices of MicroSoft, not only in the area of Information Technology, but its investments in other areas of the economy.
It concerns the "intellectual property rights" to offer an IPO, and garner 'venture capital' for the Construction of a Movie Studio in the State of South Carolina.

In February of 2000, I authored, and delivered a hand-written copy of a 30-year Economic Redevelopment plan for the State of South Carolina. The State of South Carolina acknowledged receipt of this plan, which included the construction of a 'movie studio' with Reference (a).

I contend for the record, that my former employers, Practical Holdings Limited of 206 Sak's Fifth Avenue Building, and Zebo's Restaurant and Brewery of 275 King Street Charleston, SC did conspire, to defraud me of the rights to this "intellectual property" through threats, intimidation, bribery, and eventually a 'murder attempt' in front of St. Louis Cathedral in New Orleans, LA resulting thereof, for their own pecuniary, fiduciary, and economic benefit.

I originally made this contention, and my desire to see the matter investigated to the United States Secret Service Field Office and Special Agent Kenny. At the time of the Field Interview, Special Agent Kenny mentioned that he did not feel that the American Government could investigate pertinent to 10th and 11th Amendment concerns. The same behavior that was exhibited in Charleston, SC, has now continued through three other state jurisdictions. The States of Texas, Missouri, Louisiana, and even to a lesser degree the District of Columbia.

Throughout the breadth of this three year hate crime, and I would contend human rights abuse I have kept the Federal Bureau of Investigation through e-mail, and the United States Secret Service through e-mail and interviews updated on the progress of these individuals and their criminal behavior. Unfortunately, the co-conspirators at Zebo's Restaurant and Brewery have extensive connections throughout the nation's capital and getting any type of investigation initiated has been difficult. You can contact the Ned Twining, formerly one of the largest shareholders of Exxon Oil for details on the behavior of his investment

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at Zebo's Restaraunt
and Brewery.

This brings me to the possible involvment of the MicorSoft Corporation. As everyone in the financial world is well aware, all corporations have people on the street, as information represents money. Microsoft obviously, as they have more money have more people on the street. I contend for the record that the Co-conspirators to defraud me of my property did in fact approach the Microsoft Corporation for Deveolpment money to investigate the possiblity of the construction of a movie studio in South Carolina.

In fact, I conted for the record, that my employment by Debra Rosen, Tony Stroupe, and Mark Barhyte at Practical Holdings Limited, and Zebo's Restaraunt and Brwery was nothing more than a dudilligence effort to gather enough information to be able to commit identity fraud, so as to garner investment capital from sources banking in the Bank of Japan Monetary System. I have made this contention, and sent documentation to the Embassy of Japan, and the Consulate of Japan in Houston to enummerate these concerns.

Moreover, Practical Holdings Limited was wokring on a Interactive Museum Project with the Gates Foundation in Charleston, SC. I contend that this is the point in time where, "money to be put on the street" was garnered as, 'investigative capital' or plans 'formulation money. This money was then used to intimidate, bribe, buy off justice officials and police officers, and eventually have me stabbed in the streets of New Orleans. I feel that if the MicroSoft Corporation offered money for this project, or funneled money to his people in the street, through quasi-jobs (i.e. payments for doing nothing), Mr. Gates was aware of what the money was being utilized for, approved of this, and in fact established a high tech concentration camp, a hate-crime, and a human rights abuse for his own amusement. Of course assuming that he, as the richest man in the world could just buy the problem away later.

I do sincerely hope that you will look into this matter, and contact the aforementioned individuals. As it is my contention that if Mr. Gates was involved he is subject to the provisions of USC Title 18 Section 96, and forfeitures contained therein, to the Treasury Department of the United States of America.

The international community and economic police agencies can contact any foreign students who attended the College of Charleston from 1997 to 2000, to ask them what they might know about any of this. A good place to start with any dudilligence would be 139 Calhoun Street, the Trio Club.

In earnest,

I am,

Brett A. Rodman

By the way, one other person you can contact is Professor Bjerken of the College of Charelston Philosophy Department. I took a Chinese and Japanese Religions Class from him. There was a girl (red head) named Katy who sat next to me in class. One day she waked by me, and condesendingly muttered under her breath at me, "your taking on Microsoft".

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Apparently, MicroSoft has purchased the American Government and Legal System.

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